



State of Utah

DEPARTMENT OF COMMERCE

Division of Corporations & Commercial Code

Trademark or Service Mark Application Instructions

Complete all lines on the application. The application must be typewritten or computer generated, if it is handwritten it will be returned. Return original application and photocopy of the completed application, together with the examples required and the \$20 processing fee by a check or money order made payable to the "State of Utah"(U.C.A. 70-3-let. seq.).

Line by Line Application Instructions

- Line 1:** The name of the applicant, the *owner* of the Mark, who holds all rights to the Mark, must be entered on this line. The owner, may be an individual, partnership, corporation, or other business entity organized under the laws of Utah or another state. If the owner is a business entity, rather than an individual, the applicant's name under which the entity is organized must be entered.
- Line 2:** Enter the business address if the applicant is a business entity or enter the business or home address if the applicant is an individual.
- Line 3:** Enter the applicant's daytime phone number, *including area code*.
- Line 4:** If the applicant is a business entity, enter the state in which the entity was formed, organized, or incorporated.
- Line 6:** If the Mark consists of words, a name, number, or letters, describe the Mark and enclose it in quotation marks: "XYZ's Widgets." If the Mark includes a design, brand, symbol, emblem, stamp, imprint, device, or similar image, describe the Mark as specifically as possible and enclose it in quotation marks along with any words, names, numbers, etc. The description must match the Mark samples on the accompanying pages.
- Line 7:** Describe how the Mark will be used, e.g., product labels, tags, letterhead, advertising, etc.
- Line 8:** Describe specifically the product or service associated with the Mark, e.g., "retail sales of snack foods" or "janitorial services." An applicant may designate a specific class or classes of goods or services from the S.I.C. codes or from Utah Code Annotated, Section 70-3-11.
- Line 10:** First use of the Mark refers to the date the Mark was first *actually* used in commerce. e.g., the date the Mark was used with a product or service sufficient to create a common-law right of ownership. Utah law does not allow the registration of a Mark on an "intent to use" basis, as federal trademark law does.
- Line 11:** Read certificate carefully and sign and date on the lines provided, indicating the signer's title if signing on behalf of a business entity.

Instructions for Sample Pages

Include (two) 2 separate copies of the Mark as samples, centering the image on separate pages. These pages are similar to the drawing pages submitted with a federal trademark application. One copy will be certified by the Division and returned for the owner's records. If the Mark consists only of a word, name, letters, or numbers simply *print* the Mark on the page. If the Mark includes a design, provide an accurate image or graphic of the design. A photocopy of the Mark used on a label or letterhead will suffice (delete address, telephone number, masthead, and similar information not included in the trademark).

FREE! You may visit our Web Site for this document and to access other information.

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